

Regular Meeting
City Hall, Marysville, Kansas-May 11, 2020

Members of the Governing Body of the City of Marysville were called to order in regular session at 7:00 p.m. on the date and place noted above with Mayor Barnes in the chair. City Administrator St. John, City Attorney McNish and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Pippia, Schroller, Hughes, Beikman, Frye, Behrens and Throm. A quorum was present.

The minutes from the April 27th regular meeting were presented for approval. CM Beikman moved, CM Throm seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

APPOINTMENTS: Mayor Barnes nominated Parker Price to fill the vacant position of Ward 1 Council Member. Term effective May 11, 2020 thru November 2023. CM Throm moved to approve the mayor's appointment, CM Pippia seconded. Motion carried 7-0 voice vote. CC Holle swore in CM Price who then took his seat on the council.

BUSINESS AND DISCUSSION ITEMS:

1. **MCAC FUND RAISER.** Mark Lattner a representative of Marshall County Arts Cooperative sent a request to the City to use the tennis courts for a fundraising tournament July 18, 2020. The tournament will begin at 8:00 a.m. and will be an all-day event. CM Throm moved to allow MCAC to use the tennis courts on July 18, 2020 for a fundraiser, CM Beikman seconded. Motion carried by an 8-0 roll call vote.
2. **MARSHALL COUNTY VETERANS MEMORIAL.** Marshall County Veterans Memorial Inc. asked to remove the Veteran's Memorial from the property insurance. The insurance is presently included on the City's policy and the charges are reimbursed by the MCVM group. The Memorial is located on City property and the liability insurance is paid by the City. City Attorney McNish prepared a Hold Harmless and Indemnification Agreement between the City and the MCVM group to memorialize the agreement. The MCVM group would be responsible for any damage to the Memorial. The agreement also states the MCVM group will be responsible for all maintenance and electricity at the Memorial. CM Throm moved to approve the agreement, CM Behrens seconded. Motion passed 8-0 roll call vote.
3. **TABLES ON SIDEWALK AT 723 BROADWAY.** Empty Cup Coffee Bar & Bristo asked permission to place 3 tables on the east side of their business on the sidewalk temporarily. The tables would extend the seating due to the restriction placed on the restaurant for social distancing during Covid-19. CM Throm moved to allow 3 tables on the east side of 723 Broadway until June 30, 2020. CM Schroller seconded. Motion carried 8-0 roll call vote.
4. **MOSQUITO SQUAD PROPOSAL.** A proposal to spray for mosquitos on City properties was presented by the Mosquito Squad. There will be 5 treatment days which last for 21 days each. The dates are on Wednesdays and are as follows: June 3, June 21, July 15, August 5, and August 26. The properties to be sprayed will be City Park, Country Club Lake, Koester House Museum, Lions Park and Dargatz Park. CM Throm moved to hire the Mosquito Squad to spray the City properties for \$3,775, CM Pippia seconded. Motion carried 8-0 roll call vote.

5. ORDINANCE NO. 1891 ADOPTING THE CODIFICATION OF ORDINANCES.

Ordinance No. 1891 was presented “*An ordinance adopting the codification of ordinances of the City of Marysville, Kansas, providing for the repeal of certain other ordinances not included therein, excepting certain ordinances from repeal and saving certain accrued rights and liabilities.*” The codification corrected clerical errors, ordinance reference numbers and added ordinances that were passed since the last codification. This code will automatically be updated online as new ordinances are passed. CM Throm moved to approve Ordinance No. 1891 Adopting the Codification of Ordinances, CM Frye seconded. Motion carried 8-0 roll call vote.

6. REAL ESTATE CONTRACT AT 101 S 4TH STREET. After governing body discussion, CM Throm moved to approve the contract with Lynn and Kim Runnebaum to purchase the real estate at 101 S 4th Street, CM Behrens seconded. Motion carried 5-3 roll call vote: CM Schroller, CM Hughes and CM Frye voting no.

NOTICES AND HEARINGS:

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Throm moved, CM Pippia seconded to approve the Consent Agenda. Motion carried unanimously. The Consent Agenda consisted of the following:

1. Consumption Request-Sears Rehearsal and Wedding June 5 and June 6 at the Lee Dam Art Center.
2. Convention & Tourism Request for funds for the 2021 Kansas Travel Guide Listings \$240.
3. Declared guns as surplus at the Police Department. These guns were seized during arrests for several years. The proceeds will be put in the Special Law Fund per state statute.
4. Preventative Maintenance Agreement on the 6 generators with B&W Electric expiring April 30, 2021.
5. City Clerk’s Report for April showed \$70,243.90 collected in receipts with a like amount being deposited with the City Treasurer
6. Cash balances in funds as of April 30, 2020 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through April 2020 showed unadjusted accumulated revenues in the General Fund of \$1,232,891 or 46% of budget; Water Revenue Fund, \$263,058 or 29% of budget, Sewer Revenue Fund, \$265,455 or 35% of budget. Unadjusted statement of expenditures in the General Fund totaled \$765,338 or 24% of budget, Water Revenue Fund, \$267,409 or 19% of budget, and Sewer Revenue Fund, \$192,853 or 18% of budget.
7. Municipal Judge’s Report for April showed \$581.59 being deposited with the City Treasurer and \$70.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3723

1. Claims against the funds of the City were submitted for Council consideration as follows:

General Fund, \$73,719.89; Water Revenue Fund, \$20,652.82; Sewage Revenue Fund, \$11,107.46; Library Revolving, \$5,858.54; Swim Pool Sales Tax \$1,488.73; Koester Block Maintenance, \$997.02; Employee Benefit Fund, \$8,122.52; Transient Guest Tax, \$171.28; Municipal Equipment Reserve, \$11,188.22; Capital Improvements, \$2000.00; Sales Tax Improvements, \$71,034.82; making a total of \$206,341.30.

2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Throm moved, CM Behrens seconded to approve the appropriations ordinance totaling \$208,341.30. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3723.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **RFQ FOR ENGINEER FOR LAGOON IMPROVEMENTS.** Two engineering firms responded to our request for qualifications for the lagoon improvements. CES submitted qualifications but reported they could not meet the timeframe the City required for the CBDG application. BG Consultants met the qualifications and could meet our timeframe. CM Pippia moved to hire BG Consultants to engineer the lagoon improvements, CM Behrens seconded. Motion carried 7-1 roll call vote. CM Beikman voted no.
2. **GENERATOR REPAIR AT MAIN LIFT STATION.** CA St. John reported the generator which provides power when the electricity is off at the City's main lift station needs a new radiator. The City received a quote of \$7,708.59 from Foley Equipment. CM Throm moved to approve the quote from Foley Equipment for \$7,708.59 to be paid from the Sewer Replacement Fund, CM Behrens seconded. Motion passed 7-1 roll call vote. CM Beikman voted no.
3. **OPENING DATES FOLLOWING COVID.** CA St. John presented the governor's phase out plan. The governor's plan is subject to change. CA St. John presented his plan for re-opening which is as follows:
 - City Hall/Police Department-not before June 1
 - Recreation/Ball Complex-no practice before June 1, first game June 15
 - Museum-Not before June 5
 - Parks Bathrooms/Playgrounds-Not before June 15
 - Pool-Not before June 19 pending staff availability/certification
 - Council Meetings-Not open to the public thru May 26 meetingThese dates are in compliance with the governor's plan although the governor's plan could change. The opening dates were discussed. CM Hughes moved to not exceed the governor's regulations as posted for the phases, CM Schroller seconded. Motion failed 3-5 roll call vote. CM Price, CM Pippia, CM Frye, CM Behrens and CM Throm voted no. It was consensus of council to open the pool on June 19. It was consensus of council if social distancing protocol could be followed and cleaning protocol completed ball practice could begin in the second phase on May 18 with no ballpark restrooms or the ballpark playground open. CA St. John said he would talk to Brian Fragel with Marysville Sport & Rec who the city pays to organize ball in

Marysville about beginning practice in phase 2. The city will post signs at the City parks playgrounds informing the public the playground is not sanitized. Opening dates will be discussed at the next meeting.

4. **ENGEMANN CONSTRUCTION.** Engemann Construction contacted CA St. John. Their company had several jobs canceled this summer and asked if the City would like to move forward with the water project that was bid earlier this year. Engemann said they would consider doing part of the project this year and part next year. The governing body decided not to do this water project this year.
5. **FINANCIALS.** CA St John updated the governing body on the status of General Fund, Water Revenue Fund, Sewer Revenue Fund and Sales Tax Improvement Fund. A Capital Projects report was also included. The annual insurance payment was made in April.

STANDING COMMITTEE REPORTS:

STREET:

1. **FIVE YEAR PLAN.** CM Beikman asked if the City had a 5-year street improvement plan. CA St. John said the City has a plan and we will continue to replace streets as fast as possible. He will present the current plan at the next workshop. CM Schroller asked about barricades in various locations around the City. CA St. John said the barricades are located where repairs need to be made. The signal lights at 8th Street and 14th Street were discussed.

WATER & WASTEWATER:

PARKS & RECREATION:

CEMETERY & AIRPORT:

POLICE & FIRE:

1. **FIRE COMMITTEE MEETING.** The Fire Station Committee met Wednesday, May 6 with BG Consultants to finish plans for the new station on 20th Street so the project can go to bid in November.

ADMINISTRATION & FINANCE:

1. **SWIM POOL BOND EARLY PAY-OFF.** CM Hughes asked if the City paid off the Swimming Pool bonds early or refinanced if it would effect the .6% sales tax collected for the pool. CA St. John stated the Swim Pool sales tax is for 20 years until 2034 regardless of the pool bond payoff.

WAGE DETERMINATIONS:

CITY ATTORNEY:

EXECUTIVE SESSION:

ROUND TABLE DISCUSSION:

1. **SNEEZE GUARDS.** CM Price asked if the City was putting sneeze guards in place in City Hall or if the City has plans for opening City Hall.
2. **BUILDING INSPECTOR/MAINTENANCE.** CM Schroller reported the City had hired Will Ralph as Building Inspector/Maintenance person. She also said the City Cemetery looked good for Mother's Day.
3. **TREE AT 10TH & BROADWAY.** CM Schroller reported the tree in front of the Frese Building on Broadway was dead.
4. **NUISANCES.** CM Schroller asked if nuisances notices have been sent out. CA St. John said notices have been sent out by Derek Martin the Code Enforcement Officer. CM Beikman reported some properties that the Code Enforcement Officer should look at. CM Schroller asked for a list of properties that had been sent nuisance notices.
5. **SEWER LINE REPLACEMENT ON BROADWAY.** CA St. John said Inline was replacing the sewer line on Broadway between 14th and 15th Streets. The line failure was discovered when the lines were cameraed in preparation for the CIPP program. The sewer line is 12 feet deep and approximately 225 feet long. Inline agreed to fix the line while they had the street dug up for the street replacement project.
6. **GENERATOR REPAIR.** CM Beikman reported the shop manager at KanEquip said they could most likely repair the City's generators and their rate would be \$120 per hour. CM Beikman asked if the council should rescind its previous motion to hire Foley Equipment to repair the generator at the Main Sewer Lift Station. CM Frye said he thought the motion should stand, but the City should consider KanEquip and the cost of repairs when purchasing equipment in the future.

There being no further business, at 8:57 p.m. CM Frye moved to adjourn, CM Pippia seconded. Motion carried unanimously.

Cindy Holle
City Clerk